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4 2173 PATENT

0879-0299P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

Milton SMITH

Conf.:

9767

Appl. No.:

09/782,608

Group:

2173

Filed:

February 14, 2001

Examiner: BAYERL, R.L.

For:

GLOBAL LAB SOFTWARE

RECEIVED

JUL 0 2 2004

PROPOSED INFORMATION DISCLOSURE STATEMENT (SUBMISSION AFTER FILING OF AN APPLICATION

Technology Center 2100

BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

June 29, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a.

 This application was filed before June 30, 2003.

 Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. This application was filed on or after June 30, 2003. Accordingly, copies of cited U.S. patents and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.

	С.		Some or all of the documents listed on the PTO- 1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.
III.			RPLANATION OF THE RELEVANCE least one box)
	a.	\boxtimes	DOCUMENTS IN THE ENGLISH LANGUAGE
			The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.
	b.		DOCUMENTS NOT IN THE ENGLISH LANGUAGE
			A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:
	c.		ENGLISH LANGUAGE SEARCH REPORT
			An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).
	d.		OTHER
			The following additional information is provided for the Examiner's consideration.

FEES

IV.			IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b): ck one box)
	a.		within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's.)
	b.		within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
	c.		concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
	d.		before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
V.			IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c): ck one box)
	C.F. mail	R. §	ne mailing date of a Final Office Action under 37 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the date of a Notice of Allowance under 37 C.F.R. See 37 C.F.R. § 1.97(c)(2)).
	a.		No statement; therefore, a fee in the amount of $$180.00$ as required by 37 C.F.R. $$1.17(p)$.
	b.		See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or

- b.
 each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- c. no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- Some of the items of information were cited in a d. communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII.	PAYMENT	OF	FEES	(check	one	box)

\boxtimes	Α	chec	k	in	the	amou	ınt	of	\$1	80.	00	as	required	by	37
_	С.	F.R.	§	1.	17(p)	is	end	clos	ed	for	t	he	above-ider	ntif	ied
	fε	ee.			_										

- Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☐ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Michael R. Cammarata, #39,491

MRC/JWR/kpc/kss

0879-0299P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s): \boxtimes PTO-1449

□ Documents

☐ Foreign Search Report

⊠ Fee

□ Other:

(Rev. 05/14/2004)

INFORMATION DISCLOSURE CITATION Form PTO-1449

IN AN APPLICATION

(Use several sheets if necessary)

ATTY.	DO	CKET	NO.
087	9 -	02	99P

APPLICATION NO. 09/782,608

APPLICANT

Milton SMITH

FILING DATE

February 14, 2001

2173

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US 4,546,390	-	10/08/1985	Konishi et al.			
	US 4,903,132		02/20/1990	Yamawaki			
	US 4,914,746		04/03/1990	Nishi et al.			
	US 5,018,017		05/21/1991	Sasaki et al.			a posses grand
	US 5,032,927		07/16/1991	Watanabe et al.	RE	CEI	VED -
	US 5,034,804		07/23/1991	Sasaki et al.	11 3 3 3 3 3		2004
	US 5,138,459		08/11/1992	Roberts et al.	J	<u>UL U Z</u>	2004
	US 5,164,831		11/17/1992	Kuchta et al.	Techno	Mony Ce	nter 2100
	US 5,576,757		11/19/1996	Roberts et al.	1 GOIIII	109,	
	US 6,094,219		07/25/2000	Roberts et al.			
	US 6,233,010		05/15/2001	Roberts et al.			
	US 6,323,899		11/27/2001	Roberts et al.			
	US 6,496,222		12/17/2002	Roberts et al.			

FOREIGN PATENT DOCUMENTS

Office DOCUMENT		Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION		
	NUMBER						YES	NO	
		×	-	-		G (-			

OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

DATE CONSIDERED

EXAMINER